

CHAPTER 29

ADMINISTRATIVE ADJUDICATION OF OFFENSES

(Adopted, Ordinance No. 2011-64)

1. Definitions. Whenever used herein, the following words shall have the meaning set after them as follows:

A. ACES - means Administrative Code Enforcement System.

B. City Official - means all full-time police officers as well as any other officer, agent or employee of the City of Decatur authorized to enforce the City Code.

C. Complaint – means a formal written accusation against a person or entity such as a ticket or notice of violation for a violation of the City Code.

D. Default – means a failure to appear for a scheduled hearing or legal proceeding.

E. Emergency Situations - means those situations that reasonably constitute threats to the public interests, safety or welfare,

F. Hearing Officer – means a municipal employee or an officer or agent of a municipality appointed pursuant to this Chapter, other than a law enforcement officer whose duty it is to:

(1) Preside at an administrative hearing called to determine whether or not a code violation exists;

(2) Issue subpoenas directing witnesses to appear and give relevant testimony at administrative hearings, upon the request of the parties or their representatives;

(3) Administer oaths, hear testimony and accept evidence from all interested parties relevant to the existence of a code violation;

(4) Preserve and authenticate the transcript and record of the hearing and all exhibits and evidence introduced at the hearing; and

(5) Issue and sign a written finding, decision, and order stating whether a code violation exists and imposing penalties consistent with the applicable City Code provisions and assessing costs.

(6) Assess and issue fines, costs of the administrative adjudication hearing, sanctions that are provided in the Code for the violation proved, orders to abate, injunctions, orders to cease and desist, orders to perform community service, and other appropriate orders.

(7) Remove any persons from the hearing for failing to use proper decorum during the hearing or engaging in any other disorderly act causing the disruption of the hearing or process.

G. Non-emergency situation - means any situation that does not reasonably constitute a threat to the public interests, safety or welfare.

H. Petitioner - means the person or entity making a City Code violation allegation initiating the administrative adjudication hearing process.

I. Prima Facie Evidence - means the bare minimum of evidence needed to bring a case before a hearing officer.

J. Property Owner - means the legal or beneficial owner of real property or other person in control, including but not limited to, a mortgagee in possession of a property, the beneficial owners of real property held in trust and any person, business, partnership, corporation or other entity who contracts with the federal government or any of its agencies, including without

limitation the Department of Housing and Urban Development, to care for vacant residential real estate.

K. Respondent - means a person or entity who is accused of a violation.

2. **CODE HEARING DIVISION.** There is hereby established an Administrative Code Enforcement System (hereinafter referred to as “ACES”) and a City Code Hearing Division, the function of which is to expedite the prosecution and correction of violations of the city code in the manner provided by this Chapter.

A. The hearing officer and such other agents or employees assigned to the department by the City Manager shall constitute the Code Hearing Division.

B. The adoption of this Chapter is not the exclusive method of enforcing code violations and the establishment does not preclude the City from using other methods to enforce the provisions of its code, including the filing of suit in courts of competent jurisdiction.

3. **JURISDISTION.** An administrative adjudication proceeding under this Chapter may be initiated for any alleged City Code violation.

4. **VIOLATION NOTICE PROCEDURE.** A proceeding under this Chapter shall be instituted upon the filing of a written Violation Notice and Complaint by an authorized official of the City for a violation of any ordinance under the Code. Said Violation Notice and Complaint shall constitute prima facie evidence of the violation cited.

A. A Violation Notice and Complaint shall be certified and shall contain, but shall not be limited to, the following information, as applicable:

(1) The name and address of the party alleged to have violated the ordinance, if known;

(2) The date, time and place of the violation;

- (3) A statement detailing the type and nature of the violation;
- (4) The Chapter and Section of the City Code alleged to have been violated;
- (5) Vehicle make and state registration number;

(6) A section entitled “Notice of Hearing” which shall clearly set forth that the person receiving a notice of ordinance violation may appear at an administrative adjudicatory hearing to contest the validity of the violation notice on the date and at the time and place as specified in the Notice of Hearing;

(7) The date, time and location of the Administrative Adjudicatory hearing, if applicable, which hearing date shall not be less than 15, nor more than 30 days after the date of the complaint in non-emergency situations. In emergency situations the hearing date shall not be less than three, nor more than seven days after the date of the complaint;

(8) The fine and penalty for the violation of the ordinance, if applicable and the fine and any penalty which may be assessed for late payment;

(9) The legal authority and jurisdiction under which the hearing, if applicable, is to be held and the penalties for failure to appear at the hearing;

(10) The signature and identification of the person issuing the Violation Notice and Complaint, which signature shall act as a certification of the accuracy of all information contained with the complaint;

(11) Statement that failure to either pay the fine and any applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a default judgment being entered against the respondent and a final determination of liability for the cited violation and penalties indicated as well as costs of the administrative hearing made as provided for.

(12) Statement that upon the occurrence of a final determination of liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the City with the judgment being enforceable in the Circuit Court.

(13) Statement setting forth applicability of and providing for payment and waiver of an administrative adjudicatory hearing.

B. The correctness of facts contained in any violation notice shall be verified by the person issuing said notice by:

(1) Signing his or her name to the Violation Notice and Complaint at the time of issuance; or,

(2) In the case of a notice produced by a computer device, by signing a single certificate attesting to the correctness of all Violation Notice and Complaints produced by the device while under his/her control.

C. The original or a facsimile of the Violation Notice and Complaint shall be retained by the City and kept as a record in the ordinary course of business.

D. Any Violation Notice and Complaint issued, signed and served in accordance herewith, or a copy of the Violation Notice and Complaint, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

E. For those violations of Code that provide for a monetary fine and penalty only, the person receiving the Violation Notice may pay the fine in full as stated on said notice. Said fine and penalty shall be paid at the Treasurer's Office located at the offices of the City.

5. SERVICE.

A. Service of any Violation Notice and Complaint shall be made by the person issuing such notice by:

- (1) Handing the notice to the respondent for the ordinance violation; or,
- (2) Substitute service by leaving the notice with any person thirteen (13) years of age or older at the residence of the respondent; or,
- (3) Mailing the notice by certified mail, return receipt requested to the respondent for the ordinance violation at the respondent's last known address; or,
- (4) posting the notice upon the property where the violation is found when the person is the owner, occupant or manager of the property and cannot be served in accordance with Section 5(A)(1)-(3) above; or,
- (5) Affixing the original or a facsimile of the notice to an unlawfully standing or parked vehicle, unstickered vehicle or vehicle violating any compliance regulation and mailing such notice to the registered owner of the vehicle by first class mail.

B. Following service of a Violation Notice and Complaint, service of subsequent pleadings, orders and notices may be made by mailing such pleading to the respondent by regular first class mail.

C. Service of notices sent in accordance with this Chapter shall be complete as of the date of deposit in the United States mail.

6. **HEARINGS.** A hearing authorized pursuant to this Chapter shall afford parties due process of law, including notice and opportunity for a hearing during which the respondent may be represented by counsel, present witnesses, and cross-examine opposing witnesses.

A. Parties may request the hearing officer to issue subpoenas to direct the attendance and testimony of relevant witnesses and the production of relevant documents.

B. Hearings shall be scheduled with reasonable promptness, provided that for hearings scheduled in all non-emergency situations, the respondent shall have no less than fifteen (15) days and no more than thirty (30) days after service of process to prepare for a hearing. If service is provided by mail, the 15-day period shall begin to run on the day that the notice is deposited in the mail.

C. The formal and technical rules of evidence shall not apply in an adjudicatory hearing permitted under this Chapter. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

D. All administrative adjudication hearings conducted pursuant to this Chapter shall be recorded.

E. Hearings shall regularly take place at such place on such days and times as may be necessary and designated.

F. Continuances will not be granted except where absolutely necessary to protect the rights of the parties. Lack of preparation shall not be grounds for a continuance. Continuances, if authorized, shall not exceed seven (7) days.

G. If on the date set for hearing the respondent or his or her attorney fails to appear, the hearing officer may find the respondent in default and shall proceed.

H. A final determination of liability as determined by the Hearing Officer shall be provided to the parties following the conclusion of an administrative hearing by personally providing such or, in the case of a default judgment, by mailing within five (5) business days of

the date the order is issued and shall contain, but not be limited to, the following information and warnings:

- (1) A decision and order stating whether a code violation exists.
- (2) A statement of any penalties or sanctions imposed which penalties or sanctions costs are debts due and owing the City.
- (3) A statement of any finding of costs imposed if a code violation is found to exist which costs shall be debts due and owing the City.
- (4) A statement of any sanctions imposed including, but not limited to, orders to abate, injunctions, orders to cease and desist, orders to perform community service and other appropriate orders as determined by the hearing officer.
- (5) A warning that failure to comply with any orders to abate, cease and desist, perform community service or other appropriate order and/or pay the fine and any penalty due and owing the City within the time specified may result in proceeding with collection and enforcement procedures in the same manner as a judgment entered by any court of competent jurisdiction.
- (6) Any other warning of possible impoundment as permitted by law or ordinance.

I. Final Determination of Liability. A final determination of liability shall occur following the failure to pay the fine or penalty or comply with other imposed sanctions after the Hearing Officer's determination of liability and the exhaustion of, or the failure to exhaust, any administrative review procedures hereinafter set forth. Where a person fails to appear at the administrative hearing to contest the alleged violation on the date and at the time and place specified in a prior served or mailed notice, the hearing officer's determination of liability shall

become final either upon a denial of a timely petition to set aside that determination or upon the expiration of the period for filing a petition without a filing having been made.

7. ENFORCEMENT OF JUDGMENT.

A. Judicial Review. Any final decision by a Hearing Officer that a code violation does or does not exist shall constitute a final determination for purposes of judicial review under the Illinois Administrative Review Law. The findings, decision and order of the hearing officer shall constitute a final determination for purposes of judicial review and shall be subject to review in the Circuit Court of Macon County and the provisions of the Administrative Review Law and all amendments and modifications thereto, and the rules adopted pursuant thereto are adopted and shall apply to and govern every action for the judicial review of the final findings, decision and order of a hearing officer under this Chapter. The plaintiff in the administrative review proceeding shall pay to the City of Decatur the costs of preparing and certifying the record of proceedings before ACES, the failure to make that payment shall relieve the City of the necessity of filing the answer required by 735 ILCS 5/3 – 108 (Illinois Administrative Review Law) and shall be authority for the entry of an order by the court, on motion therefor by the City or any other defendant, dismissing the complaint and (in the case of an administrative decision which requires the payment of money) entering a judgment against the plaintiff and in favor of the City for the amount shown by the administrative decision that is involved to be due, and for costs. (Amended, Ordinance 2012-72)

B. Enforcement of Judgment. Any fine, costs, other sanction imposed, or part of any fine, costs or other sanction imposed remaining unpaid or not complied with after the exhaustion of, or the failure to exhaust, judicial review procedures under the Administrative Review Law

shall be a debt due and owing the City of Decatur and can be sent to collections or collected in any manner authorized by law.

C. Nothing in this Section shall prevent the City from consolidating multiple findings, decisions and orders against a person in such a proceeding.

D. In any case in which a respondent has failed to comply with a judgment ordering the respondent to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by a municipality to enforce the judgment, including, but not limited to, attorney's fees, court costs, or other related costs after they are fixed by a court of competent jurisdiction or a hearing officer, shall be a debt due and owing the municipality and may be collected in accordance with applicable law.

E. A Hearing Officer may set aside any judgment entered by default and set a new hearing date upon a petition filed within fourteen (14) days after the issuance of the order of default if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the municipality did not provide proper service of process pursuant to the provisions of this Chapter.

F. After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final determination of a code violation, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the Hearing Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

G. Upon commencement of an action to enforce, the City shall file a certified copy of the findings, decision and order, which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision and order was issued in accordance with this Code.

Service of the summons and a copy of the petition may be by any method provided by the Code of Civil Procedure or by certified mail, return receipt requested. If the court is satisfied that the findings, decision and order were entered in accordance with the requirements of this Section of the City Code and the applicable ordinance and that the respondent had an opportunity for a hearing and for judicial review as provided for herein; (1) the court shall render judgment in favor of the City and against the respondent for the relief indicated in the findings, decision and order, plus costs. Such judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money; and (2) the court may also issue such other orders and injunction as are requested by the City to enforce the order of the hearing officer.

H. Upon being recorded in the manner required by the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the respondent in the amount of any debt due and owing the municipality under this Chapter. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

I. Any transfers or conveyances of properties subject to an order to correct a code violation shall be reported by the respondent to the ACES Director or their designee within one (1) business day of the transfer or conveyance. Failure to do so shall constitute a violation of this Code and be subject to a minimum fine of Fifty Dollars (\$50) for every day the violation of failing to report occurs.

J. The order to correct a code violation and the sanctions imposed by the City as the result of a finding of a code violation shall attach to the property as well as to the owner, occupant or person or entity in control of the property, so that a finding of a code violation

against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property takes and is subject to the findings, decision and order of a hearing officer under this Chapter.

K. A mortgagee in possession of a property, the beneficial owners of real property held in trust, and any person, business, partnership, corporation or other entity who contracts with the federal government or any of its agencies, including without limitation the Department of Housing and Urban Development, to care for vacant residential real estate shall be responsible for maintaining the property to prevent and correct municipal health and safety code violations.

8. HEARING OFFICERS.

A. Prior to conducting administrative adjudication proceedings, hearing officer(s) appointed pursuant to this Chapter shall have successfully completed a formal training program which includes the following:

(1) Instruction on the rules of procedure of the administrative hearings which the hearing officer will conduct;

(2) Orientation in each subject area of the code violations that they will adjudicate;

(3) Observation of administrative hearings; and,

(4) Participation in hypothetical cases, including ruling on evidence and issuing final orders.

B. In addition to the above, every hearing officer must be an Attorney licensed to practice law in the State of Illinois for at least three (3) years.

C. Hearing officers shall have the authority and duty to:

(1) Preside at an administrative hearing called to determine whether or not a code violation exists;

(2) Administer oaths, hear testimony and accept evidence relevant to the existence of a code violation;

(3) Preserve and authenticate the transcript and record of the hearing and all exhibits and evidence introduced at the hearing;

(4) Issue and sign a written finding, decision and order stating whether a code violation exists including finding a respondent in default;

(5) Issue subpoenas directing witnesses to appear and give testimony at the hearing so long as request for issuance of subpoenas made in sufficient time to compel appearance or at any time prior to the hearing date;

(6) Assess and issue fines, costs of the administrative adjudication hearing, sanctions that are provided in the Code for the violation proved, orders to abate, injunctions, orders to cease and desist, orders to perform community service, and other appropriate orders as determined by the hearing officer;

(7) Remove any persons from the hearing for failing to use proper decorum during the hearing or engaging in any other disorderly act causing the disruption of the hearing or process; and,

(8) Certify the record to the Circuit Court if required.

9. PENALTIES

A. The penalties in addition to costs to be imposed by the hearing officer for violations of the various codes are shown in Table 29-1 attached hereto.

B. The maximum monetary fine under this subsection shall be exclusive of the costs of enforcement or the costs imposed to secure compliance with the City Code and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the City.

10. COSTS OF ADMINISTRATIVE ADJUDICATION PROCEEDING. If a code violation is proved and the respondent is ordered to pay the costs of the administrative adjudication proceeding, the costs shall be ordered to be paid by the respondent as determined by the City Council and set forth in Table 29-2 attached hereto, including, but not limited to costs for hearing officer, file management, document automation and record keeping, recording costs, costs of peer courts or panels, hearing security, prosecutor's fee and other related costs.

11. SETTLEMENT OF VIOLATIONS; MINIMUM FINES.

A. If applicable and subject to subsection (C) of this Section, a person accused of violating a section of the City Code being prosecuted in ACES may offer to settle the case by paying the minimum fine set forth in Table 29-1 if payment is made within the time and in the manner set forth in subsection (B) of this Section.

B. Payments in settlement of violations set forth in Table 29-1 shall be made within fourteen (14) days after the date that the Violation Notice and Complaint was issued to the person accused of such violation. A payment shall be considered made within said fourteen (14) days if the payment is actually received by the City's Finance Department, or such other place as designated for receipt of fines, within the fourteen day period. Payments shall be made by cash or certified check, money order or cashier's check made payable to the City of Decatur, or such other forms of tender as the Director of Finance shall specify.

C. The Corporation Counsel or his or her designee may, in his or her discretion, elect to reject any such minimum fine as settlement of any violations set forth prior to the date the Notice

to Appear and Complaint which charges a person with such violation is filed with the Circuit Court or Violation Notice and Complaint which charges a person with such violation is filed with ACES. In addition, if a violation proximately causes actual out-of-pocket expenses or loss to the victim or victims of said violation, the Corporation Counsel or his or her designee may elect to accept payment of restitution to the victim or victims of the said violation in addition to payment of the minimum fine set forth, as settlement of a violation prior to and in lieu of filing a complaint for the same.

D. Peace officers who have issued a Notice to Appear in Circuit Court or Notice of Violation and Complaint in ACES to a person for an offense under this Code for which the minimum fine is set forth in Table 29-1 shall deliver the original copies of the Notice to Appear or the Violation Notice and Complaint to ACES.

E. If a person pays a minimum fine pursuant to this Section, and such payment is not rejected under Subsection (C) of this Section, then the Complaint charging the person with the particular violation shall not be filed by the City in either the Circuit Court or ACES or if filed, shall be dismissed with no administrative costs assessed.

F. Effective May 1, 2013, and every two (2) years thereafter on May 1, the minimum fine set forth in Table 29-1 shall be increased automatically by the amount of Ten Dollars (\$10) unless the City Council, by ordinance, delays the effective date of such increase. The City Clerk shall on or after May 1 of any such year cause a new Table 29-1 be codified.

12. **SEVERABILITY.** It is declared to be the intention of the Council that the sections, subsections, paragraphs, sentences, clauses and words of this Code and Chapter are severable. If any section, subsection, paragraph, sentence, clause or word is declared unconstitutional or otherwise invalid by the lawful judgment or decree of any court of competent jurisdiction, its

unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses and words of this Code and Chapter, since the sections or parts of sections would have been enacted by the Council without and irrespective of any unconstitutional or otherwise invalid section, subsection, paragraph, sentence, clause or word being incorporated into this Code and Chapter. (Amended Ordinance 2012-61)

TABLE 29-1
TABLE OF OFFENSES AND FINES
(Amended, Ordinance No. 2011-94)

CHAPTER/ SECTION	TITLE/OFFENSE	FINE SCHEDULE
Chapter 6	City Council	
Section 7	Disturbing Meeting	\$250 - \$500
Chapter 7	Officers and Employees Generally	
Section 14	Impersonation	\$250 - \$500
Section 15	Interference	\$250 - \$500
Chapter 14	Fire Department	
Section 5	Use of Equipment; Penalty	\$250 - \$500
Chapter 25	ELECTRICAL COMMISSION, ELECTRICAL CONTRACTORS AND LICENSED ELECTRICIANS	
Section 3	License Required	\$150-\$500
Chapter 26	Heating, Air Conditioning and Refrigeration Commission & Contractors	
Section 3	License Required	\$150 - \$500
Chapter 28	Unlawful Discrimination	
Section 6-12 (11)	Discrimination in Real Estate Transactions	1 st Offense – Not to Exceed \$500; 2 nd & Subsequent Offenses – Not to Exceed \$1,000
Chapter 31	Landmarks and Historic Districts	
Section 12	Certificate of Appropriateness	\$250 - \$500
Section 16	Certificate of Demolition	\$250 - \$500
Section 20	Penalties	\$250 - \$500
Chapter 34	Traffic – SEE CURRENT CHAPTER 34 FOR SPECIFIC VIOLATIONS AND FINES	
Chapter 34.1	Overweight and/or Overdimension Vehicles	
Section 1	Overweight and/or Overdimension Vehicles	Pursuant to 625 ILCS 5/15-113

Section 6	Safety Inspections	\$250 - \$500
Chapter 35	Numbering Houses	
Section 9	Penalty for Failing to Properly Number Existing Buildings	\$150 - \$500
Section 10	Failing to Number New Buildings	\$150 - \$500
Chapter 36	Trees and Shrubs	
Section 1	Trees, Shrubs and Ground Covers on City Property	\$150 - \$500
Section 2	Trees, Shrubs and Ground Covers on Private Property	\$150 - \$500
Chapter 37	Construction and Excavation in Streets	
Section 1	License Required	\$150 - \$500
Section 6	Permit Required	\$150 - \$500
Chapter 38	Stormwater Ordinance	
Section 3	Land Disturbance Permits Required	\$150 - \$500
Section 20	Failure to Meet or Maintain Design or Maintenance Standards	\$150 - \$500
Section 23	Illicit Discharges	\$150 - \$500
Section 24	Prohibition of Illicit Connections	\$150 - \$500
Section 26	Notification of Spills	\$150 - \$500
Chapter 39	Sub-Sidewalk Space	
Section 1	Permit Required	\$150 - \$500
Section 6	Disturbing Pipes	\$150 - \$500
Section 8	Failure to Secure Permit	\$150 - \$500
Section 9	Sidewalks to be Kept Clear and in Repair	\$150 - \$500
Section 12	Precautions Required	\$150 - \$500
Chapter 40	Care of Streets	
Section 1	Covering Vehicles	\$150 - \$500
Section 2	Covering Must be Tight	\$150 - \$500
Section 3	No Vehicles on Fresh Oil	\$150 - \$500
Section 4	Horses With Cleats	\$150 - \$500
Section 5	Vehicles With Lugs	\$150 - \$500
Chapter 41	Miscellaneous Street Regulations	
Section 1	Barbed Wire Fence	\$150 - \$500
Section 2	Fires on Pavement	\$150 - \$500
Section 3	Advertising Distribution Device Permit Required	\$150 - \$500
Section 5	Buildings; Signs	\$150 \$500
Section 6	Handbills	\$150 \$500
Section 8	Merchandise on Sidewalk	\$150 - \$500
Section 9	Placing Materials on Public Streets	\$150 - \$500
Section 10	Offensive Vehicles	\$150 - \$500
Section 11	Parades; Processions	\$150 - \$500
Section 12	Sales on Sidewalks and Public Places	\$150 - \$500
Section 13	Food and Beverage Carts	\$150 - \$500
Section 14	Posting of Posters	\$150 - \$500
Section 15	Temporary Banners	\$150 - \$500
Section 16	Bicycles on Sidewalks and Central Park	\$150 - \$500
Section 17	Central Park Fountain	\$150 - \$500
Section 18	Downtown Entertainment Permits	\$150 - \$500
Chapter 41.1	Standards for the Construction of Facilities in the Public Rights-of-Way	

Section 3	Annual Registration Required	\$150 - \$500
Section 4	Permit Required; Applications and Fees	\$150 - \$500
Section 8	Insurance	\$150 - \$500
Section 17	Vegetation Control	\$150 - \$500
Section 18	Removal, Relocation or Modifications of Utility Facilities	\$150 - \$500
Section 19	Cleanup and Restoration	\$150 - \$500
Chapter 42	Cable Service and Competitive Video Service	
Section 7	Permits to Operate Systems in the Municipality	\$150 - \$500
Section 8	Service Rates to Subscribers: Customer Service	\$150 - \$500
Section 9	Scope	\$150 - \$500
Chapter 43	Firearms	
Section 1	Sale to Minor Under 16 Years Forbidden	\$250 - \$500
Section 2	Registry of Sale Required	\$250 - \$500
Chapter 44	Fire Prevention and Hazardous Materials Control	
Art. I.	Fire Prevention and Control	
Section 5	Fireworks	\$250 - \$500
Art II.	Basic Fire Control Measures and Regulations	
Section 2	Interference With Fire Department Operations	\$250 - \$500
Section 3	Compliance With Orders	\$250 - \$500
Section 4	Vehicles Crossing Fire Hose	\$250 - \$500
Section 6	Operation of Vehicles on Approach of Authorized Emergency Vehicles	\$250 - \$500
Section 7	Vehicles Following Fire Apparatus	\$250 - \$500
Section 8	Unlawful Boarding or Tampering with Fire Department Emergency Equipment	\$250 - \$500
Section 9	Damage, Injury – Fire Department Equipment, Personnel	\$250 - \$500
Section 11	Blocking Fire Hydrants and Fire Department Connections	\$250 - \$500
Section 12	Hydrant Use Approval	\$250 - \$500
Section 15	Maintenance of Fire Suppression Equipment	\$250 - \$500
Section 16	Sale of Defective Fire Extinguishers	\$250 - \$500
Section 17	Street Obstructions	\$250 - \$500
Section 18	Smoking on Buses	\$250 - \$500
Section 19	Shredded Bark	\$250 - \$500
Section 20	Emergency Lights	\$250 - \$500
Art. III.	Control of Hazardous Materials and Environmentally Damaging Substances	
Section 2	Unlawful Releases Prohibited	\$250 - \$500
Section 6	Notification of Hazardous Materials Required	\$250 - \$500
Section 7	Warning Placards on Hazardous Materials Facilities	\$250 - \$500
Section 8	Hazardous Use of Combustibles	\$250 - \$500
Section 9	Tank Vehicles	\$250 - \$500
Section 10	Combustible Liquids	\$250 - \$500
Section 11	Flammable Liquids	\$250 - \$500
Chapter 46	Emergencies and Disasters	
Section 9	Penalty	\$250 - \$500
Chapter 47	Control of Animals, Fowl and Dogs	

Section 2	Running at Large (Farm Animals)	\$150 - \$500
Section 3	Farm Animals Prohibited	\$150 - \$500
Section 4	Keeping Chickens, Fowls or Rabbits	\$150 - \$500
Section 5	Sanitation	\$150 - \$500
Section 6	Sale of Fowl	\$150 - \$500
Section 7	Animals as Prizes Prohibited	\$150 - \$500
Section 8	Cruelty to Animals	\$150 - \$500
Section 9	Keeping Poisonous Animals Prohibited	\$150 - \$500
Section 10	Wild Animals Prohibited	\$150 - \$500
Section 11	Running At Large Prohibited (Domestic Animals)	\$150 - \$500
Section 12	Impounding	\$150 - \$500
Section 13	Dog or Cat in Estrus	\$150 - \$500
Section 14	Rabies Inoculation – Dogs	\$150 - \$500
Section 15	Rabies Inoculation – Cats	\$150 - \$500
Section 16	Vicious Dog Prohibited	\$150 - \$500
Section 17	Nuisance Animals	\$150 - \$500
Section 18	Biting Animals	\$150 - \$500
Section 19	Registration	\$150 - \$500
Section 21	Registration Tag	\$150 - \$500
Section 22	Tag Worn	\$150 - \$500
Section 25	Animal Biting Any Person or Suffering Rabies	\$150 - \$500
Section 28	Dead Animals Prohibited	\$150 - \$500
Chapter 48	Nuisances	
Section 4	Disclosure of Principal	\$150 - \$500
Section 5	Use of Premises	\$150 - \$500
Section 6	Sewer Service Lines	\$150 - \$500
Section 7	Abandoned Excavation	\$150 - \$500
Section 8	Weeds	\$150 - \$500
Section 9	Storage, Disposition and Use of Pesticides and Other Chemicals	\$150 - \$500
Section 10	Deposit of Garbage	\$150 - \$500
Section 11	Garbage on Premises	\$150 - \$500
Section 12	Hours of Construction	\$150 - \$500
Section 13	Burning of Waste	\$150 - \$500
Section 14	Storage of Machinery	\$150 - \$500
Section 15	Rat Harbors	\$150 - \$500
Chapter 49	Removal of Garbage, Junk, Rubbish or Trash	
Section 4	Removal of Garbage	\$150 - \$500
Chapter 50.1	Transient Merchants	
Section 8	Restrictions	\$150 - \$500
Section 9	Identification	\$150 - \$500
Section 10	Entering Dwellings	\$150 - \$500
Chapter 51.2	Food and Beverage Tax	
Section 3	Certificate of Registration	\$250 - \$500
Section 4	Duty to Collect	\$250 - \$500
Section 5	Records	\$250 - \$500
Section 6	Monthly Returns	\$250 - \$500

Chapter 51.3	Utility Taxes	
Section 5	Collection	\$250 - \$500
Section 6	Payment of Taxes	\$250 - \$500
Section 8	Books and Records	\$250 - \$500
Chapter 52	Alcoholic Liquor	
Section 3	License Required	\$250 - \$500
Section 6	Changes in License	\$250 - \$500
Section 12	Posting of License	\$250 - \$500
Section 13	Use of License	\$250 - \$500
Section 15	Toilets	\$250 - \$500
Section 17	Hours	\$250 - \$500
Section 18	Public Places	\$250 - \$500
Section 20	Gambling	\$250 - \$500
Section 21	Inspections	\$250 - \$500
Section 22	Obscene Conduct	\$250 - \$500
Section 23	Obscenity Prohibited	\$250 - \$500
Section 24	Sales to Minors	\$250 - \$500
Section 27	Sale of False Identification	\$250 - \$500
Section 28	Use of False Identification	\$250 - \$500
Section 29	Possession By Minors	\$250 - \$500
Section 30	Warning Displayed	\$250 - \$500
Section 31	Employment of Minors	\$250 - \$500
Section 32	Parents and Guardians	\$250 - \$500
Section 33	Owner of Premises	\$250 - \$500
Section 34	Consumption in Public Places	\$250 - \$500
Section 36	Separation of Alcoholic Liquor Sales	\$250 - \$500
Chapter 52.1	Places of Amusement	
Section 2	License Required	\$250 - \$500
Section 3	Specific Use	\$250 - \$500
Section 10	Gambling	\$250 - \$500
Section 11	Building Codes	\$250 - \$500
Section 12	Liability of Certain Persons	\$250 - \$500
Section 14	Inspections	\$250 - \$500
Section 17	Hours	\$250 - \$500
Section 18	Posting of License and Hours of Operation	\$250 - \$500
Chapter 53	Ambulance Service	
Section 2	License Required	\$150 - \$500
Section 9	Licensed Vehicles	\$150 - \$500
Section 10	Driver and Attendant	\$150 - \$500
Section 11	Emergency Medical Technicians	\$150 - \$500
Section 12	Continuous Operation	\$150 - \$500
Section 13	Records	\$150 - \$500
Section 14	Change in Operations	\$150 - \$500
Section 15	Cooperation	\$150 - \$500
Section 16	Calls for Service	\$150 - \$500
Section 17	Monitoring Police or Fire Calls	\$150 - \$500
Chapter 54	Amusement Devices	

Section 1	License	\$250 - \$500
Section 5	Hours	\$250 - \$500
Section 6	Gambling Forbidden	\$250 - \$500
Section 7	Pinball and Gambling Devices	\$250 - \$500
Chapter 55	Drive-In Restaurants	
Section 2	Noise	\$250 - \$500
Section 3	No Intoxicating Liquor By Patrons	\$250 - \$500
Section 4	No Congregating in Vicinity	\$250 - \$500
Section 5	No Drive In Other Than For Service	\$250 - \$500
Section 6	No Unoccupied Automobile Except For Service	\$250 - \$500
Section 7	No Parking Near Entrance on Street	\$250 - \$500
Section 8	Trash Receptacles	\$250 - \$500
Section 9	No Litter Except in Receptacles	\$250 - \$500
Section 10	No Loud, Obscene Language	\$250 - \$500
Section 11	Must Keep Clean	\$250 - \$500
Section 12	Must Keep Street Clean	\$250 - \$500
Section 13	No Loud Speakers Other Than Public Address System	\$250 - \$500
Chapter 56	Refuse and Recyclables Removal	
Section 4	Accumulation of Refuse and Recyclables	\$150 - \$500
Section 5	Temporary Storage of Refuse and Recyclables	\$150 - \$500
Section 6	Manner of Storage	\$150 - \$500
Section 7	Clean Containers	\$150 - \$500
Section 8	Approved Containers	\$150 - \$500
Section 9	Container Weight	\$150 - \$500
Section 10	Bulk Containers	\$150 - \$500
Section 11	Location of Container	\$150 - \$500
Section 12	Spillage	\$150 - \$500
Section 13	Ashes	\$150 - \$500
Section 14	Limbs and Branches	\$150 - \$500
Section 15	Grass Clippings	\$150 - \$500
Section 16	Tampering With Container	\$150 - \$500
Section 17	Use of Other Container	\$150 - \$500
Section 18	Payment Required	\$150 - \$500
Section 19	Service Required	\$150 - \$500
Section 20	Commercial Premises	\$150 - \$500
Section 21	Minimum Removal Service	\$150 - \$500
Section 22	Vehicles	\$150 - \$500
Section 23	Removal	\$150 - \$500
Section 32	Vehicle Decal	\$150 - \$500
Section 33	Vehicle Number	\$150 - \$500
Section 34	Closed Vehicles	\$150 - \$500
Section 35	Inspection of Vehicles	\$150 - \$500
Section 36	Collection of Refuse and Recyclables	\$150 - \$500
Section 37	Use of Streets	\$150 - \$500
Section 38	List of Customers	\$150 - \$500
Section 39	Licensee Telephone	\$150 - \$500
Section 40	Billing	\$150 - \$500

Section 41	Rate Schedules	\$150 - \$500
Chapter 56.1	Recyclable Materials	
Section 8	No Scavenging	\$150 - \$500
Chapter 57	House Moving	
Section 1	Permit Required	\$150 - \$500
Section 5	Shade Trees	\$150 - \$500
Section 6	Wires and Cables	\$150 - \$500
Section 7	Cost of Building	\$150 - \$500
Section 9	Fire Limits	\$150 - \$500
Section 10	Police Escort	\$150 - \$500
Chapter 58	Secondhand Stores, Auction Houses and Rummage Rooms	
Section 3	License Required	\$250 - \$500
Section 10	Employees	\$250 - \$500
Section 11	Minors	\$250 - \$500
Section 12	Identification	\$250 - \$500
Section 13	List of Goods	\$250 - \$500
Section 14	Records	\$250 - \$500
Section 15	Inspections	\$250 - \$500
Section 16	Hold for 72 Hours	\$250 - \$500
Section 17	Price Limitation	\$250 - \$500
Chapter 59	Sign Hangers	
Section 2	License Required	\$150 - \$500
Chapter 60	Taxicabs and Taxi Drivers	
Section 2	Taxi License Required	\$500 - \$1,000
Section 8	Insurance	\$250 - \$500
Section 12	Standards for Vehicles	\$250 - \$500
Section 13	Color Scheme	\$250 - \$500
Section 14	Name of Owner	\$250 - \$500
Section 16	Meters	\$250 - \$500
Section 18	Schedule of Rates	\$250 - \$500
Section 19	Taxicab Driver's License Required	\$500 - \$1,000
Section 22	Driver's Badge	\$250 - \$500
Section 24	Driver Leaving Vehicle	\$250 - \$500
Section 25	Seeking Patrons	\$250 - \$500
Section 26	Drugs, Alcohol	\$250 - \$500
Section 27	Horns	\$250 - \$500
Section 28	Use of Taxi For Unlawful Act	\$250 - \$500
Section 29	Telephones	\$250 - \$500
Section 30	Trip Logs	\$250 - \$500
Chapter 61	Livery Vehicles	
Section 2	Livery License Required	\$500 - \$1,000
Section 5	Insurance	\$250 - \$500
Section 8	Standards for Vehicles	\$250 - \$500
Section 9	Name of Owner	\$250 - \$500
Section 11	Schedule of Rates	\$250 - \$500
Section 12	Driver's License Required	\$500 - \$1,000

Section 16	Driver's Badge	\$250 - \$500
Section 17	Record of Driver's Licenses	\$250 - \$500
Section 18	Appointment Required	\$250 - \$500
Section 19	Drugs; Alcohol	\$250 - \$500
Section 20	Use of Livery for Unlawful Act	\$250 - \$500
Section 21	Trip Logs	\$250 - \$500
Chapter 63	Mobile Home Parks	
Section 2	Mobile Home Placement	
Section 6	License Required	\$150 - \$500
Section 13	Site Plan Required	\$150 - \$500
Section 17	Minimum Standards	\$150 - \$500
Section 19	Distance from Perimeter Line	\$150 - \$500
Section 37	Register of Owners and Occupants	\$150 - \$500
Chapter 64	Water Service	
Section 14	Special Meter Reading	\$250 - \$1,000
Section 15	Annual Reading Required	\$250 - \$1,000
Section 23	Penalty	\$250 - \$1,000
Section 25	Tampering With Water Infrastructure	\$500 - \$1,500
Chapter 65	Watermain Connection Charges	
Section 1	Permit Required	\$150 - \$500
Section 2	Connection Charge Not Required	\$150 - \$500
Section 3	Charge For Special Assessment Main	\$150 - \$500
Section 4	Computation of Charge	\$150 - \$500
Section 6	Service Shut Off	\$150 - \$500
Section 8	Penalty	\$150 - \$500
Chapter 66	Regulation of Lake Decatur	
Section 3	Buildings Prohibited	\$150 - \$500
Section 4	Deposit of Waste	\$500 - \$1,500
Section 5	Discharge of Waste	\$500 - \$1,500
Section 6	Pollution In Zone A	\$500 - \$1,500
Section 7	Commercial or Industrial Waste	\$500 - \$1,500
Section 8	Internments	\$500 - \$1,500
Section 9	Garbage and Animal Manure	\$500 - \$1,500
Section 10	Animal Yards	\$500 - \$1,500
Section 11	Washing; Burning	\$500 - \$1,500
Section 12	Deposit of Debris	\$500 - \$1,500
Section 13	Boating Prohibited – Lake (Defined Area)	\$150 - \$500
Section 14	Boating Prohibited – River (Defined Area)	\$150 - \$500
Section 15	Mooring	\$150 - \$500
Section 17	Boating Regulations	\$150 - \$500
Section 18	Lights Required	\$150 - \$500
Section 19	Boat Licensure and Registration	\$150 - \$500
Section 20	Boat Rentals	\$150 - \$500
Section 21	Fire Extinguishers	\$150 - \$500
Section 22	Personal Flotation Devices	\$150 - \$500
Section 23	Mufflers Required	\$150 - \$500
Section 24	Breach of The Peace	\$150 - \$500

Section 25	Toilets on Board	\$150 - \$500
Section 26	Operation of Boats; Abandoned Boats	\$150 - \$500
Section 27	Water Skiing	\$150 - \$500
Section 28	Swimming	\$150 - \$500
Section 29	Infectious Diseases	\$150 - \$500
Section 30	Hunting	\$150 - \$500
Section 32	Location of Blinds and Pits	\$150 - \$500
Section 33	Permits for Blinds and Pits	\$150 - \$500
Section 37	Regulations for Blinds and Pits	\$150 - \$500
Section 38	Discharging Firearms	\$150 - \$500
Section 39	Aircraft	\$150 - \$500
Section 40	Camping	\$150 - \$500
Section 41	Fishing	\$150 - \$500
Section 42	Walleye and Bass	\$150 - \$500
Section 45	Sale of Boat During Suspension	\$150 - \$500
Section 46	Ice Skating and Ice Fishing	\$150 - \$500
Section 47	Ice Boating	\$150 - \$500
Section 48	Piers and Docks	\$150 - \$500
Section 51	Trespassing on Dam	\$150 - \$500
Chapter 67	Building Code	
Section 17	Penalty	\$150 - \$500
Chapter 67.1	Flood Plain Protection Provisions	
Section 4	Permit Requirements	\$150 - \$750
Section 6	Protecting Buildings	\$150 - \$750
Section 12	Penalty	\$150 - \$750
Chapter 67.2	Residential Building Code	
Section 9	Application for Permit	\$150 - \$500
Section 11	Work Down Without Permit	\$150 - \$500
Section 13	Penalty	\$150 - \$500
Chapter 68	Mechanical Code	
Section 8	Permit Required	\$150 - \$500
Section 10	Work Down Without Permit	\$150 - \$500
Section 11	Penalty	\$150 - \$500
Chapter 69	Electrical Code	
Section 6	Permit Required	\$150 - \$500
Section 7	Work Done Without Permit	\$150 - \$500
Section 13	Penalty	\$150 - \$500
Chapter 70	Property Maintenance Code	
Section 8	Penalty – 1 st Offense in 12 month period	\$150 - \$2,000
	2 nd Offense in 12 month period	\$500 - \$2,000
	3 rd and Subsequent Offenses in 12 month period	\$1,000 - \$2,000
Chapter 70.1	Plumbing Code	
Section 4	Work Done Without Permit	\$150 - \$500
Section 8	Penalty	\$150 - \$500
Chapter 71	Telecommunications Infrastructure Maintenance Fee	
Section 7	Penalty	\$150 - \$500
Chapter 73	Offenses	

Section 3	Performance Prohibited	\$250 - \$500
Section 4	Sexual Solicitation Prohibited	\$250 - \$500
Section 5	Premises as Nuisance	\$250 - \$500
Section 6	Inmate	\$250 - \$500
Section 7	Gambling	\$250 - \$500
Section 8	Discharge of Firearms	\$250 - \$500
Section 9	Breach of Peace	\$250 - \$500
Section 10	Noise on Public Street	\$250(M ¹) Mandatory Minimum Fine
Section 11	Impersonation of City Employee	\$250 - \$500
Section 12	Interference with City Employee	\$250 - \$500
Section 13	Coin Boxes	\$250 - \$500
Section 14	Corner Stones	\$250 - \$500
Section 15	Abandoned Refrigerator	\$250 - \$500
Section 16	Tampering with Meters	\$250 - \$500
Section 17	Removal of Sod	\$250 - \$500
Section 18	Climbing on Poles	\$250 - \$500
Section 19	Aiding and Abetting	\$250 - \$500
Section 20	Unlawful Solicitation	\$250 - \$500
Section 21	Payment of Fines and Fees	\$250 - \$500
Section 22	Public Urination/Defecation	\$250 - \$500
Section 23	Retaliation Against Occupant	\$250 - \$500
Section 24	Defacement of Property	\$250 - \$500
Section 25	Possession of Cannabis	\$250 - \$500
Section 26	Possession of Drug Paraphernalia	\$250 - \$500
Section 27	Littering	\$250 - \$500
Section 28	Resisting or Interfering	\$250 - \$500
Section 29	Damage to Property	\$250 - \$500
Section 30	Trespass	\$250 - \$500
Section 31	Tobacco and Minors	\$250 - \$500
Section 32	Retail Theft	\$250 - \$500
Section 33	Theft	\$250 - \$500
Section 34	Mob Action	\$250 - \$500
Section 35	Assault	\$250 - \$500
Section 36	Battery	\$250 - \$500
Section 37	Reckless Conduct	\$250 - \$500
Section 38	Truancy	\$250 - \$500
Chapter 73.1	Curfew Hours for Minors	
Section 2	Offenses	\$250 - \$500
Section 7	Penalties	\$250 - \$500
Chapter 74	Sanitary Sewer System	
Section 3	Permit Required	\$150 - \$500
Section 5	Annexation to the Sanitary District of Decatur Required	\$150 - \$500
Section 6	Charge Required	\$150 - \$500
Section 32	Penalty	\$150 - \$500
Chapter 75	Water Services and Connections	

Section 11	Opening or Shutting Service Lines	\$150 - \$500
Section 14	Permit Required	\$150 - \$500
Section 16	Inspection	\$150 - \$500
Section 17	Penalty	\$150 - \$500
Ordinance No. 3512	Zoning Ordinance of the City of Decatur Sections 1-38	\$150.-\$500

(Amended, Ordinance 2013-03, January 7, 2013)

TABLE 29-2
Administrative Code Enforcement System Costs

Hearing Officer Fee:	\$40.00
Prosecutor Fee:	40.00
Document Automation Fee:	25.00
Peer Court Fee:	5.00
Hearing Security Fee:	25.00
File Management and Recordkeeping Fee:	5.00